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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/412,042	10/04/1999	ROBERT S. MARTIN	EXPO0001	9151

22862 7590 09/03/2003

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EXAMINER

KANOF, PEDRO R

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 09/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/412,042

Applicant(s)

MARTIN ET AL.

Examiner

Pedro Kanof

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

Response to Amendment

1. This correspondence is in response to the amendment with the Oath/Declaration filed 01/17//2003, which overcame the Underwood US patent No. 5,873,066 cited on the September 2002 Office action (Paper No. 4).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-9, 14 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Shavit et al. (U.S. Patent No.4,799,156).

Claims 1 and 15: Shavit discloses a trade finance automation system and a network-based trade finance automation system, comprising:

a credit-limits database for providing certain accounts receivable financing limit information related to a particular pre-qualified buyer of a manufacturer, trader, or exporter (Col. 38, lines 51-65, col. 2, lines 20-36, col. 14, lines 28-49, col. 19, lines 14-34, col. 33, lines 7-27, col. 9, lines 20-42, and col. 35, lines 11-44);

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an invoice data entry system that accesses the credit-limits database and flags an individual invoice to said particular pre-qualified buyer (Col. 1, lines 36-51) according to credit limits and accounts receivable financing limits information (Col. 8, lines 23-54, col. 9, lines 7-19, col. 11, line 52-col. 12, line 2, col. 12, line 54-col. 13, line 9, col. 14, lines 50-62, col. 16, lines 30-49, col. 17, lines 29-51, col. 25, line 51-col. 26, line 4, col. 26, line 29-col. 27, line 30, col. 32, line 10-col. 33, line 10, and col. 36, lines 22-53); and

an accounts receivable database connected to receive said individual invoice; wherein, if said individual invoice in the accounts receivable database meets various criteria and is sold to or financed by a financial institution, the credit-limits database is automatically adjusted to reflect an open account to said particular pre-qualified buyer (Col. 8, line 55-col. 9, line 6, col. 9, lines 30-42, col. 14, lines 28-49, col. 19, lines 14-34, col. 21, line 53-col. 25, line 9, and col. 28, lines 23-56).

Claim 2: Shavit discloses the system of Claim 1, wherein said certain accounts receivable comprise credit insurance accounts; wherein said credit limits comprise insurance policy limits; and wherein said various criteria comprise said credit insurance policy criteria (Col. 7, lines 6-22, Col. 38, lines 51-65, col. 2, lines 20-36, col. 19, lines 14-34, col. 33, lines 7-27, col. 9, lines 20-42, and col. 35, lines 11-44).

Claim 3: Shavit discloses the system of claim 2, wherein invoices are tested to assure compliance with the terms and conditions of an insurance policy whether or not the invoices are purchased or financed (Col. 8, lines 32-34).

Claim 4: Shavit discloses the system of Claim 1, wherein said credit limits comprise limits defined by financing agreements with financial institutions; and wherein said various criteria

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comprise criteria defined by said financing agreements (Col. 38, lines 51-65, col. 2, lines 20-36, col. 19, lines 14-34, col. 33, lines 7-27, col. 9, lines 20-42, and col. 35, lines 11-44).

Claim 5: Shavit discloses the system of Claim 1, wherein said invoice data entry system inputs, sorts, and processes data provided in various formats to convert said data into a system format; and wherein said invoices and data entry system optionally extracts said data from a data source (Col. 1, lines 24-43).

Claim 6: Shavit discloses the system of claim 1, wherein the credit-limits database is updated with information provided by a credit insurance underwriter, and/or by a commitment to finance said particular pre-qualified buyer by said financial institution (Col. 8, lines 5-54, col. 9, lines 20-42, col. 14, lines 28-49, col. 19, lines 14-34, col. 27, line 10-col. 28, line 57, col. 33, lines 7-27, col. 34, lines 31-58, col. 35, lines 11-63, col. 38, lines 51-65, and col. 40, lines 5-16).

Claim 7: Shavit discloses the system of claim 1, further comprising a filter for providing a user selection of which of any individual invoices are to be the subject of a sale or financing to said financial institution (Col. 5, line 66-col. 6, line 38, col. 8, lines 32-34, col. 7, lines 6-22, col. 9, lines 7-19 and 39-42, col. 11, lines 3-10, col. 11, line 52-col. 12, line 2, col. 12, line 54-col. 13, line 9, col. 16, lines 30-49, col. 17, lines 29-51, col. 19, lines 14-34, col. 25, lines 10-27, col. 25, line 51-col. 26, line 4, col. 26, line 50-col. 27, line 9).

Claim 8: Shavit discloses the system of claim 1, further comprising a reports generator for providing particular information regarding any information stored in the accounts receivable database (Col. 1, lines 5-12, col. 2, lines 20-36, col. 5, lines 16-38, col. 5, line 66-col. 7, line 5, col. 7, lines 22-57, col. 8, lines 32-34, col. 9, lines 39-42, and col. 11, lines 22-35).

Claim 9: Shavit discloses the system of claim 1, further comprising a payments and credits utility connected to the accounts receivable database and the credit-limits database for

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providing a collection record and remittance to said financial institution whenever a payment is received from said particular pre-qualified buyer for said individual invoice in the accounts receivable database (Col. 8, line 55-col. 9, line 6, col. 9, line 20-42, col. 14, lines 28-49, col. 24, line 53-col. 25, line 9, col. 26, line 50-col. 27, line 9, col. 26, line 50-col. 28, line 57, col. 33, line 7-27, col. 34, lines 31-58, col. 35, lines 11-63, col. 38, lines 51-65, and col. 40, lines 5-16).

Claim 14: Shavit discloses a client/server multi-user (Col. 5, line 39-col. 6, line 18) trade finance system (Col. 6, lines 19-51 and col. 8, lines 5-54) for assisting manufacturers, traders, and exporters in providing key trade finance information to credit insurance underwriters, insurance brokers (Col. 7, lines 6-22), and financial institutions that have extended accounts receivable financing (Col. 8, line 55-col. 9, line 6), comprising:

a manufacturer/trader/exporter and buyer information database, a credit limits information database (Col. 2, lines 20-36, Col. 7, lines 22-57, Col. 38, lines 51-65, and col. 40, lines 5-16), an invoice/shipments editor (Col. 6, line 19-col. 7, line 5, col. 11, line 52-col. 12, line 2, col. 12, line 54-col. 13, line 9, col. 14, lines 50-62, col. 16, lines 30-49, col. 17, lines 29-51), an accounts receivable payments (Col. 8, line 55-col. 9, line 6, col. 9, lines 30-42, col. 14, lines 28-49, col. 19, lines 14-34, col. 21, line 53-col. 25, line 9, col. 26, line 50-col. 27, line 9, and col. 28, lines 23-56) and adjustments input system (Col. 9, lines 20-42, col. 13, lines 28-62), an eligible invoice filter (Col. 8, lines 5-54, Col. 16, lines 1-29, and lines 50-67), a remittances manager (Col. 12, lines 54-65, col. 25, lines 10-50, and col. 33, line 55-col. 34, line 10), and a report generator (Col. 6, line 52-col. 7, line 5, and Col. 34, lines 31-58),

wherein, after a manufacturer/trader/exporter prearranges a credit insurance policy with a credit insurance underwriter (Col. 7, lines 6-22) and/or financing arrangement with a financial institution, the trade finance system provides real-time rule-checking of invoices according to

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policy/ financing agreement, buyer, and destination country limits, and as collections are received credit capacity is freed up for particular policies, buyers, and destination countries. Remittances are immediately sent to said financial institution (Col. 25, line 10-col. 27, line 9).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 10-13, and 16-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shavit et al. (U.S. Patent No.4,799,156).

Claim 10: Shavit discloses the system of claim 1, wherein the credit-limits database can be maintained at a processor or computer which is remote from said manufacturer, trader, or exporter and that is accessed via the network (Col. 5, lines 16-65, and col. 7, lines 22-57).

Shavit also discloses "the communications interface 79 provides an interface to permit access by the remote users to the processor 80 ... via communications links 74a-l ...The communications link 74a-8i may be any of the wide variety of network services, such as ...public data networks" (Col. 5, lines 39-65), such as Internet.

However, Shavit does not explicitly disclose that the processor or computer which is remote from the manufacturer, trader, or exporter is an Internet server site and that the access via the network is the Internet network. Official notice is taken that the use of Internet is old and

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well known within the networks communications art at the time the invention was made.

Therefore, it would have been obvious to one having ordinary skill in the art to include such feature in the Shavit's invention. One would have been motivated to use Internet in order to obtain lower cost communications than the dedicate communications lines.

Claim 11: Shavit discloses the system of claim 1, wherein the invoice data entry system can be maintained at a computer of a network which is remote from said manufacturer, trader, or exporter and that is accessed via a network of computers (Col. 7, lines 22-57, col. 8, line 23-col. 9, line 19, col. 1, line 52-col. 12, line 2, col. 12, line 54-col. 13, line 9, col. 14, lines 50-62, col. 16, lines 11-49, col. 17, lines 29-51, col. 25, line 51-col. 27, line 39, and col. 36, lines 22-53). Shavit also discloses "the communications interface 79 provides an interface to permit access by the remote users to the processor 80 ... via communications links 74a-l ...The communications link 74a-8i may be any of the wide variety of network services, such as ...public data networks" (Col. 5, lines 39-65), such as Internet.

However, Shavit does not explicitly disclose that the processor or computer which is remote from the manufacturer, trader, or exporter is an Internet server site and that the access via the network is the Internet network. Official notice is taken that the use of Internet is old and well known within the networks communications art at the time the invention was made.

Therefore, it would have been obvious to one having ordinary skill in the art to include such feature in the Shavit's invention. One would have been motivated to use Internet in order to obtain lower cost communications than the dedicate communications lines.

Claim 12: Shavit discloses the system of claim 1, wherein the accounts receivable database (Col. 2, lines 20-36, Col. 8, line 55-col. 9, line 6, col. 9, lines 30-42, col. 14, lines 28-49, col. 19, lines 14-34, col. 21, line 53-col. 25, line 9, and col. 28, lines 23-56) can be maintained at

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processor or computer which is remote from said manufacturer, trader, or exporter and that is accessed via a network. Shavit also discloses "the communications interface 79 provides an interface to permit access by the remote users to the processor 80 ... via communications links 74a-l ...The communications link 74a-8i may be any of the wide variety of network services, such as ...public data networks" (Col. 5, lines 39-65), such as Internet.

However, Shavit does not explicitly disclose that the processor or computer which is remote from the manufacturer, trader, or exporter is an Internet server site and that the access via the network is the Internet network. Official notice is taken that the use of Internet is old and well known within the networks communications art at the time the invention was made. Therefore, it would have been obvious to one having ordinary skill in the art to include such feature in the Shavit's invention. One would have been motivated to use Internet in order to obtain lower cost communications than the dedicate communications lines.

Claim 13: Shavit discloses the system of claim 1, wherein the credit-limits database (Col. 38, lines 51-65, col. 2, lines 20-36, col. 14, lines 28-49, col. 19, lines 14-34, col. 33, lines 7-27, col. 9, lines 20-42, and col. 35, lines 11-44), the invoice data entry system (Col. 8, lines 23-54, col. 9, lines 7-19, col. 11, line 52-col. 12, line 2, col. 12, line 54-col. 13, line 9, col. 14, lines 50-62, col. 16, lines 30-49, col. 17, lines 29-51, col. 25, line 51-col. 26, line 4, col. 26, line 29-col. 27, line 30, col. 32, line 10-col. 33, line 10, and col. 36, lines 22-53), and the accounts receivable database (Col. 8, line 55-col. 9, line 6, col. 9, lines 30-42, col. 14, lines 28-49, col. 19, lines 14-34, col. 21, line 53-col. 25, line 9, and col. 28, lines 23-56) can all be maintained at a processor or computer which is remote from said manufacturer, trader, or exporter and that is accessed via a computer network. Shavit also discloses "the communications interface 79 provides an interface to permit access by the remote users to the processor 80 ... via communications links

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74a-I ...The communications link 74a-8i may be any of the wide variety of network services, such as ...public data networks" (Col. 5, lines 39-65), such as Internet.

However, Shavit does not explicitly disclose that the processor or computer which is remote from the manufacturer, trader, or exporter is an Internet server site and that the access via the network is the Internet network. Official notice is taken that the use of Internet is old and well known within the networks communications art at the time the invention was made. Therefore, it would have been obvious to one having ordinary skill in the art to include such feature in the Shavit's invention. One would have been motivated to use Internet in order to obtain lower cost communications than the dedicate communications lines.

Claim 16: Shavit discloses the system of claim 15, wherein a user's PC communicates with a centralized server over an Internet connection and uses a combination of HTML, browser-resident programs using ActiveX, Active Document, Java, or similar technical platforms and stand-alone utilities that are installed on the user's PC so new versions of an interface program can be automatically downloaded from the centralized server over said Internet connection (see above discussion on the Shavit anticipation to some Internet functions in Claims 11, 12 and 13).

Claim 17: Shavit discloses the system of claim 15. Shavit alsodiscloses wherein a database engine is installed on a user's PC and a central server includes a data repository, and an Internet connection, and client data can be uploaded to the central server and thereafter passed to financial institutions and underwriters (Col. 5, lines 16-38, col. 6, line 52-col. 7, line 5, and col. 7, lines 22-57).

Claim 18: Shavit discloses the system of claim 15 and, as discussed in claims 11-13, anticipated some of the Internet functions. However, Shavit does not explicitly disclose the

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features wherein a primary Web location is connected to a fall-back secondary location via a point-to-point connection so data synchronization can be constantly provided, and a web-site availability monitor allows an adjustment of routing tables associated with a primary logon web-site presence, and a primary web-server responds to client logons and directs traffic and interactions with one of several primary client servers 616-618 physically located nearby . Official notice is taken that those features were well known within the electronic communication art at the time the invention was made. Therefore, it would have been obvious to one having ordinary skill in the art to include such features in the Shavit invention. One would have been motivated to use those features in order to minimize the communication cost.

Claim 19: Shavit discloses the system of claim 18 and, as discussed in claims 11-13, anticipated some of the Internet functions. However, Shavit does not explicitly disclose wherein a fall-back logon web-site presence is physically associated with several fallback servers, and said point-to-point connection allows the primary logon web-site presence to directly access the fallback servers. Official notice is taken that those features were well known within the electronic communication art at the time the invention was made. Therefore, it would have been obvious to one having ordinary skill in the art to include such features in the Shavit invention. One would have been motivated to use those features in order to minimize the communication cost.

Claim 20: Shavit discloses the system of claim 19 and, as discussed in claims 11-13, anticipated some of the Internet functions. However, Shavit does not explicitly disclose wherein the point-to-point connection allows the fallback logon web-site presence to directly access the primary client servers. Official notice is taken that this step is well known within the electronic communication art at the time the invention was made. Therefore, it would have been obvious to

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one having ordinary skill in the art to include such step in the Shavit invention. One would have been motivated to use that step in order to increase the communication security.

Claim 21: Shavit discloses the system of claim 20 and, as discussed in claims 11-13, anticipated some of the Internet functions. However, Shavit does not explicitly disclose wherein a fallback web-site availability monitor that allows an adjustment of routing tables associated with the fallback logon web-site presence. Official notice is taken that that step is well known within the electronic communication art at the time the invention was made. Therefore, it would have been obvious to one having ordinary skill in the art to include such step in the Shavit invention. One would have been motivated to use that step in order to increase the transmission security.

Claim 22: Shavit discloses the system of claim 20 and, as discussed in claims 11-13, anticipated some of the Internet functions. However, Shavit does not explicitly disclose wherein as any primary server becomes unavailable, clients are automatically redirected to a matching backup server. Official notice is taken that this step is well known within the electronic communication art at the time the invention was made. Therefore, it would have been obvious to one having ordinary skill in the art to include such step in the Shavit invention. One would have been motivated to use that step in order to increase the transmission security.

Response to Arguments

6. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground of rejection.

Conclusion

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7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. Pedro R. Kanof whose telephone number is (703) 308-9552. The examiner can normally be reached on weekdays from 8:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Hyung Sough, can be reached on (703) 308-0505. The fax phone number for this Group is (703) 308-3687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

PRK- 7/24/03.


HYUNG SOUGH
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TECHNOLOGY CENTER 3628